

Jeff D. Friedman (173886)  
HAGENS BERMAN SOBOL SHAPIRO LLP  
715 Hearst Avenue, Suite 202  
Berkeley, California 94710  
Telephone: (510) 725-3000  
Facsimile: (510) 725-3001  
jefff@hbsslaw.com

Steve W. Berman (*pro hac vice*)  
Ashley A. Bede (*pro hac vice*)  
HAGENS BERMAN SOBOL SHAPIRO LLP  
1918 Eighth Avenue, Suite 3300  
Seattle, Washington 98101  
Telephone: (206) 623-7292  
Facsimile: (206) 623-0594  
steve@hbsslaw.com  
ashleyb@hbsslaw.com

Marc A. Goldich (*pro hac vice*)  
Noah Axler (*pro hac vice*)  
AXLER GOLDICH, LLC  
1520 Locust Street, Suite 301  
Philadelphia, PA 19102  
Telephone: (267) 534-7400  
Facsimile: (267) 534-7407  
mgoldich@axgolaw.com  
naxler@axgolaw.com

*Attorneys for Plaintiffs*

Neil A.F. Popović, Cal. Bar No. 132403  
Anna S. McLean, Cal. Bar No. 142233  
Liên H. Payne, Cal. Bar No. 291569  
SHEPPARD, MULLIN, RICHTER &  
HAMPTON LLP  
Four Embarcadero Center, 17th Floor  
San Francisco, California 94111-4109  
Telephone: 415.434.9100  
Facsimile: 415.434.3947  
npopovic@sheppardmullin.com  
amclean@sheppardmullin.com  
lpayne@sheppardmullin.com  
*Attorneys for Defendant*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

IN RE SEAGATE TECHNOLOGY LLC  
LITIGATION

CONSOLIDATED ACTION

No. 3:16-cv-00523-JCS

**JOINT CASE MANAGEMENT  
STATEMENT**

Complaint filed: May 9, 2016

1 **I. INTRODUCTORY STATEMENT**

2 Pursuant to the Case Management and Pretrial Order (ECF 91), the parties to the above  
3 actions jointly submit this UPDATED JOINT CASE MANAGEMENT STATEMENT. This is the  
4 third such Case Management Statement: the first was filed with the Court (Whyte, J.) on June 30,  
5 2016 (ECF 58) and the second was filed with the Court on December 2, 2016. (ECF 89.)

6 **II. JOINT CASE MANAGEMENT STATEMENT**

7 **1. Motions**

8 Defendant filed its Motion to Dismiss on August 5, 2016. (ECF 68.) Plaintiffs filed their  
9 Opposition on September 2 (ECF 72), and Defendant filed its Reply in Support on September 23  
10 (ECF 77). The parties argued the motion before Judge Whyte on October 7. That motion is  
11 currently pending before this Court.

12 **2. Related Cases**

13 As previously reported by the parties, a putative class action containing similar allegations  
14 about Seagate's 3TB hard drives is currently pending before Judge Karnow in San Francisco  
15 Superior Court, *Pozar v. Seagate Technology LLC*, CGC-15-547787 (filed September 4, 2015)  
16 (alleging California class). To the extent feasible, to avoid duplication and promote efficiency, the  
17 parties here have agreed to informally coordinate discovery with the *Pozar* matter. The Parties have  
18 further agreed to *Pozar* counsel's participation in the upcoming Settlement Conference, described  
19 below.

20 **3. Status of Discovery**

21 As previously reported, the parties reached agreements on the protective order and ESI  
22 protocol, which the Court approved (ECF 59 (protective order); ECF 73 (ESI protocol)). Each of the  
23 parties has served discovery requests and responded, with rolling productions ongoing. The parties  
24 have further agreed to engage in additional informal discovery for settlement purposes in advance of  
25 the upcoming Settlement Conference, described below.  
26  
27  
28

1           **4. Other**

2           On January 25, 2017, this Court entered a Notice and Order Regarding Settlement  
3 Conference (ECF 97). The parties will participate in the settlement conference with Magistrate  
4 Judge Corley on April 26, 2017, at 11:00 a.m. (ECF 98.)

5 DATED: February 3, 2017

**HAGENS BERMAN SOBOL SHAPIRO LLP**

7 By: /s/ Steve W. Berman  
8 Steve W. Berman (*pro hac vice*)  
HAGENS BERMAN SOBOL SHAPIRO LLP  
1918 Eighth Avenue, Suite 3300  
Seattle, Washington 98101  
Telephone: (206) 623-7292  
Facsimile: (206) 623-0594  
steve@hbsslaw.com

12 Jeff D. Friedman (173886)  
715 Hearst Avenue, Suite 202  
Berkeley, California 94710  
Telephone: (510) 725-3000  
Facsimile: (510) 725-3001  
jefff@hbsslaw.com

**AXLER GOLDICH, LLC**

17 DATED: February 3, 2017

17 By: /s/ Marc A. Goldich  
18 Marc A. Goldich (*pro hac vice*)  
Marc A. Goldich (*pro hac vice*)  
19 Noah Axler (*pro hac vice*)  
AXLER GOLDICH, LLC  
1520 Locust Street, Suite 301  
Philadelphia, PA 19102  
Telephone: (267) 534-7400  
Facsimile: (267) 534-7407  
mgoldich@axgolaw.com  
naxler@axgolaw.com

**CAFFERTY CLOBES MERIWETHER &  
SPRENGEL LLP**

25 Bryan L. Clobes (*pro hac vice*)  
1101 Market Street, Suite 2650  
Philadelphia, PA 19107  
Telephone: (215) 864-2810  
Facsimile: (215) 864-2810  
bclobes@caffertyclobes.com

Nyran Rose Rasche (*pro hac vice*)  
150 South Wacker Drive, Suite 3000  
Chicago, IL 60606  
Telephone: (312)782-4880  
Facsimile: (312) 782-4485  
nrasche@caffertyclobes.com

*Attorneys for Plaintiffs*

**SHEPPARD, MULLIN, RICHTER  
& HAMPTON LLP**

A Limited Liability Partnership  
Including Professional Corporations

DATED: February 3, 2017

By: /s/ Anna S. McLean

ANNA S. McLEAN, Cal. Bar No. 142233  
amclean@sheppardmullin.com  
NEIL A.F. POPOVIĆ, Cal. Bar No. 132403  
npopovic@sheppardmullin.com  
DAVID E. SNYDER, Cal. Bar No. 262001  
dsnyder@sheppardmullin.com  
LIÊN H. PAYNE, Cal. Bar No. 291569  
lpayne@sheppardmullin.com  
Four Embarcadero Center, 17th Floor  
San Francisco, California 94111-4109  
Telephone: 415.434.9100  
Facsimile: 415.434.3947

*Attorneys for Defendant*

**ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3)**

I, Steve W. Berman, am the ECF User whose identification and password are being used to file this Updated Joint Case Management Statement. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that all signatories have concurred in this filing.

Dated: February 3, 2017

By: /s/ Steve W. Berman  
Steve W. Berman